IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WA.No. 2178 OF 2006()

AGAINST THE JUDGEMENT IN WPC.1020/2005

APPELLANT: PETITIONER:

BENNY ALIAS, AGED 38 YEARS,
S/O.ALIAS, APPOZHATHU HOUSE,
MUTTOM, THODUPUZHA.

BY ADV. SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.AJESH. M.R.

RESPONDENTS:
---

1. KERALA PUBLIC SERVICE COMMISSION,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY.

2. DISTRICT OFFICER, KERALA PUBLIC
SERVICE COMMISSION, ALAPPUZHA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.R. RAMAN & ANTONY DOMINIC, JJ.

W.A. NO. 2178 OF 2006

DATED THIS, THE 5TH DAY OF MARCH, 2007.

J U D G M E N T

Raman, J.

After arguing for some time, learned counsel for the appellant sought permission to withdraw the writ appeal without prejudice to his right to file a review petition. According to the learned counsel, the question regarding prescription of cut off marks was after the notification and the Public Service Commission has no jurisdiction to do so. He relies on the decision of this Court in **Ajayan v. State of Kerala** (2006(3) KLT 854). But this is not an aspect which is considered in the judgment and as such with leave and liberty as sought for, this writ appeal is dismissed as withdrawn.

P.R. RAMAN,
(JUDGE)

ANTONY DOMINIC,
(JUDGE)

knc/-